

**IN THE UNITED STATES DISTRICT COURT
FOR THE MIDDLE DISTRICT OF GEORGIA
MACON DIVISION**

DAVIS TATE, JR.,	:	
	:	
Plaintiff,	:	No. 5:11-CV-249 (WLS)
	:	
v.	:	
	:	
Officer BRANNEN, <i>et al.</i> ,	:	
	:	
Defendants.	:	
	:	

ORDER

Before the Court is a Report and Recommendation from United States Magistrate Judge Stephen Hyles, filed January 23, 2012. (Doc. 22). It is recommended that Defendants Deputy Warden Handberry, “Jordan Library Man,” Counselor Gregory Curry, “Register” Melissa, and Warden Victor Walker be dismissed as Defendants. (Doc. 22 at 3-6). No objections were filed within the fourteen-day period provided pursuant to 28 U.S.C. § 636(b)(1). The objection period expired on February 6, 2012. (*See* Doc. 22 at 3-6; Docket).

Upon full review and consideration upon the record, the Court finds that said Report and Recommendation (Doc. 22) should be, and hereby is, **ACCEPTED, ADOPTED** and made the Order of this Court for reason of the findings made and reasons stated therein. Accordingly, Plaintiff’s Complaint (Doc. 1) is dismissed as against Defendants Deputy Warden Handberry, “Jordan Library Man,” Counselor Gregory Curry, “Register” Melissa, and Warden Victor

Walker. Plaintiff's Complaint (Doc. 1) may proceed against all remaining defendants.

SO ORDERED, this 31st day of January, 2013.

/s/ W. Louis Sands

**THE HONORABLE W. LOUIS SANDS,
UNITED STATES DISTRICT COURT**